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EXAMINER

USTARIS, JOSEPH G

ART UNIT

PAPER NUMBER

2623

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/720,689

Applicant(s)

YANAGAWA ET AL.

Examiner

Joseph G. Ustaris

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 42-82 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 42-82 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/15/2005</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the amendment dated 23 March 2006 in application 09/720,689. Claims 42-82 are pending. Claims 42, 44, 63, 72, and 80 are amended.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 42, 49-59, 63, 65, 66, 69-72, 74-78, 80, and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teece (US005537605A) in view of May (US006021492A).

Regarding claim 42, Teece discloses a system for controlling at least one piece of equipment via a control unit. The system is a "network control system in an AVC system to which a plurality of AV apparatuses are connected via a transmission line" (See Fig. 1; column 3 line 66 – column 4 line 2). The system comprises a "controller equipped with a user interface" (See Fig. 1, Control Unit) and a "device to be controlled" (See Fig. 1, Nth Controllable Unit). The "device has in-device apparatus information and version information indicative of a version of the in-device apparatus information" (See Fig. 4, M, D, VN; column 2 lines 1-19, 40-54; column 6 lines 36-53), wherein inherently the VN or "version information" is updated when the "in-device apparatus information is

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updated" (See column 10 lines 44-54, column 11 lines 53-62). Furthermore, the "controller is operable to check the version information inside the device by reading the in-device apparatus information and version information from the device" (See column 9 lines 15-47) and is able to "detect a change inside the device based on the read version information" (See column 10 lines 40-64). When the control unit determines the menu is invalid, the control unit sends a request for the new menu where the controllable unit will "automatically sends updated version information, which is indicative of a version of updated in-device apparatus information" (See Fig. 7 column 10 lines 40-64). Alternatively, the controllable unit can directly send the correct or "updated" menu or "automatically sends updated version information" (See column 11 lines 50-62). Furthermore, Teece discloses that "every time a change in state in the device occurs, the device is operable to automatically send the updated version information which is indicative of the change in state in the device to the controller" (See col. 10 lines 15-40, col. 11 lines 6-23, and col. 12 lines 15-20). The control unit "receives and reads the updated version information so that the updated version information is instantly displayed" (See Fig. 7 column 10 lines 40-64). However, Teece does not disclose that the process of "checking the version information inside the device is exclusively performed by the controller and is not performed by the device".

May discloses a system that controls, interrogates, and tracks remote computers (See Fig. 2). The management information system (MIS) console (See Fig. 2, element 11) is able to verify software versions on remote computers. The MIS requests the version information from the remote computer. The remote computer then sends the

version information to the MIS, where the MIS will verify/check the version information (See Figs. 7a and 7b; column 7 line 41 – column 8 line 16). The MIS console “exclusively” checks the version information inside the remote computer, where the remote computer does not perform the version check. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control unit disclosed by Teece to perform checking/verifying the version information inside the device exclusively instead of the controllable unit, in order to reduce the processing load performed by each of the controllable units and requiring only one unit (e.g. control unit) to perform the version checking process.

Regarding claim 49, “the in-device apparatus information of the device is operation screen information which shows an operation screen of the device” (See Teece column 2 lines 41-54). Furthermore, “the device has the operation screen information of the device and the version information showing the version of the operation screen information” (See Teece Fig. 4, M and VN; column 6 lines 36-53), where it is updated as discussed in claim 1 above. The “controller reads the operation screen information and the version information from the device” (See Teece column 9 lines 15-47) and is able to “detect a change of the operation screen of the device by the version information” (See Teece column 11 lines 40-62).

Regarding claim 50, “the operation screen information comprises a plurality of objects” (See Teece column 2 lines 41-61, menu and bar charts). The “controller issues a notification request to the device for requesting notification on changes of the operation screen information when the device operation screen information of the

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device is displayed on a display screen” (See Teece column 10 lines 44-54, column 11 lines 53-62). The control unit “receives the version information as a primary response to the notification request” (See Teece column 11 lines 55-57, lines 60-62) and “receives updated version information as a secondary response to the notification request when the operation screen information is changed in the device” (See Teece column 11 lines 55-60).

Regarding claim 51, “the secondary response from the device contains the updated version information and updated object information” (See Fig. 4; column 11 lines 55-60).

Claim 52 contains the limitations of claim 50 (where in the controllable unit or “device” performs the functions claimed in claim 16) and is analyzed as previously discussed with respect to that claim.

Claim 53 contains the limitations of claim 50 (where in the control unit or “controller” performs the functions claimed in claim 53) and is analyzed as previously discussed with respect to that claim.

Regarding claim 54, “the plurality of object comprises invariable objects” (See Teece column 2 lines 42-54), wherein the menus define the functions of the controllable unit and are not “varied irrespective of the device state” and “variable objects” (See Teece column 3 lines 55-61), wherein the bar charts are “varied in accordance with the device state” to reflect the current operating parameters and conditions of the controllable units (See Teece column 5 lines 30-38). The control unit “reads the objects from the device, carries out caching to the invariable objects, and displays the objects

on the display screen" (See Teece Fig. 2, RAM 36; column 5 lines 23-38, column 9 lines 47-50).

Regarding claim 55, each of the objects, i.e. menus and bar charts, are defined by menu descriptors or "invariable data set" and operation/control parameters or "variable data set" (See Teece column 5 lines 30-38, column 6 lines 36-53, and column 12 lines 15-20). The control unit "carries out caching to the objects belonging to the invariable data set" (See Teece Fig. 2, RAM 36; column 9 lines 47-65).

Claim 56 contains the limitations of claim 54 (where in the controllable unit or "device" performs the functions claimed in claim 56) and is analyzed as previously discussed with respect to that claim.

Claim 57 contains the limitations of claim 54 (where in the control unit or "controller" performs the functions claimed in claim 57) and is analyzed as previously discussed with respect to that claim.

Claim 58 contains the limitations of claim 49 (where in the controllable unit or "device" performs the functions claimed in claim 58) and is analyzed as previously discussed with respect to that claim. Furthermore, inherently "the change of the operation screen is indicated by the version information" (See Teece column 10 lines 44-54, column 11 lines 53-62).

Claim 59 contains the limitations of claim 49 (where in the control unit or "controller" performs the functions claimed in claim 59) and is analyzed as previously discussed with respect to that claim.

Regarding claim 63, Teece discloses a system for controlling at least one piece of equipment via a control unit. The system is a "network control system in an AVC system to which a plurality of AV apparatuses are connected via a transmission line" (See Fig. 1; column 3 line 66 – column 4 line 2). The system comprises a "controller equipped with a user interface" (See Fig. 1, Control Unit) and a "device to be controlled" (See Fig. 1, Nth Controllable Unit). The "device has a function information table that shows a device function and state" (See column 2 lines 1-19 and 41-61), wherein the control structure definitions has "component elements constituting the function information table, and element version information that shows a version of the component elements of the function information table" (See Fig. 4, M, D, VN; column 2 lines 1-19, 40-54; column 6 lines 36-53). Furthermore, the control unit "is operable to check and read the element version information" and "detects changes of information in the function information table using the element version information when the controller uses the information in the function information table of the device" (See column 10 lines 40-64, column 11 lines 53-62). When the control unit determines the definitions are invalid, the control unit sends a request for the new definitions where the controllable unit will "automatically send updated element version information, which is indicative of a updated component elements" (See Fig. 7 column 10 lines 40-64). Alternatively, the controllable unit can directly send the correct or "updated" definitions or "automatically sends updated element version information" (See column 11 lines 50-62). Furthermore, Teece discloses that "every time a change in state in the device occurs, the device is operable to automatically send the updated version information which is indicative of the



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change in state in the device to the controller” (See col. 10 lines 15-40, col. 11 lines 6-23, and col. 12 lines 15-20). The control unit “receives and reads the updated element version information so that the updated version information is instantly displayed” (See Fig. 7 column 10 lines 40-64). However, Teece does not disclose that the process of “checking the version information inside the device is exclusively performed by the controller and is not performed by the device”.

May discloses a system that controls, interrogates, and tracks remote computers (See Fig. 2). The management information system (MIS) console (See Fig. 2, element 11) is able to verify software versions on remote computers. The MIS requests the version information from the remote computer. The remote computer then sends the version information to the MIS, where the MIS will verify/check the version information (See Figs. 7a and 7b; column 7 line 41 – column 8 line 16). The MIS console “exclusively” checks the version information inside the remote computer, where the remote computer does not perform the version check. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control unit disclosed by Teece to perform checking/verifying the version information inside the device exclusively instead of the controllable unit, in order to reduce the processing load performed by each of the controllable units and requiring only one unit (e.g. control unit) to perform the version checking process.

Regarding claim 65, the control structure definitions includes multiple menus or “plurality of components”, wherein each menu has a version number or “element version information” (See Teece Fig. 4, M0, M1, M2, and VN). The control unit is able to “detect

changes of the information of the component information using the element version information of the component when the controller uses the information in the components of the device” (See Teece column 10 lines 44-54, column 11 lines 53-62), wherein the menu descriptors and version numbers are within the control structure definitions or “function information table”.

Regarding claim 66, the “controller issues a notification request to the device for requesting notification on changes” (See Teece column 10 lines 44-54, column 11 lines 53-62), wherein the request can be made to multiple controllable units or “within a notification range” (See Teece column 7 line 62 – column 8 line 9), “when the controller uses the information in the function table of the device” (See Teece column 10 lines 41-64). The control unit receives “the element version information corresponding to the notification range, as the primary response to the notification request” (See Teece column 11 lines 55-57, lines 60-62) and “if the information within the notification range is changed, the controller receives the updated element version information as the secondary response to the notification request” (See Teece column 11 lines 58-60).

Regarding claim 69, the version numbers of the menus also serve as “function table version information”, wherein the version numbers are within the control structure definitions or “function table information”.

Regarding claim 70, “the components are menus” (See Teece column 2 lines 41-54).

Regarding claim 71, “the components are display parts” (See Teece column 2 lines 55-61 and column 5 lines 23-38).

Regarding claim 72, Teece discloses a system for controlling at least one piece of equipment via a control unit. The system is a “network control system in an AVC system to which a plurality of AV apparatuses are connected via a transmission line” (See Fig. 1; column 3 line 66 – column 4 line 2). The system comprises a “controller equipped with a user interface” (See Fig. 1, Control Unit) and a “device to be controlled” (See Fig. 1, Nth Controllable Unit). The controllable unit has “apparatus information holding means for holding in-device apparatus information, said in-device apparatus information containing apparatus configuration information which indicates device configuration information and containing operation screen information which indicates a function and condition of the device and for configuring an operation screen of the device” (See Fig. 3, CSD 54; column 2 lines 1-19 and 41-61). The controllable unit inherently has a “version information generation managing means” that “generates version information indicative of a change” for the menu descriptors in order to ensure that the control unit has a valid menu (See column 10 lines 44-54, column 11 lines 53-62). The control unit sends a “notification request to the device for requesting notification of change of the in-device apparatus information, and to check the version information” (See column 10 lines 40-64). The controllable unit’s “response to notification request automatically sends changed version information so that the changed version information is instantly displayed” (See Fig. 4 and 7; column 10 lines 40-64 and column 11 lines 50-62). Furthermore, Teece discloses that “every time a change in state in the device occurs, the device is operable to automatically send the updated version information which is indicative of the change in state in the device to

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the controller" (See col. 10 lines 15-40, col. 11 lines 6-23, and col. 12 lines 15-20).

However, Teece does not disclose that the process of "checking the version information inside the device is exclusively performed by the controller and is not performed by the device".

May discloses a system that controls, interrogates, and tracks remote computers (See Fig. 2). The management information system (MIS) console (See Fig. 2, element 11) is able to verify software versions on remote computers. The MIS requests the version information from the remote computer. The remote computer then sends the version information to the MIS, where the MIS will verify/check the version information (See Figs. 7a and 7b; column 7 line 41 – column 8 line 16). The MIS console "exclusively" checks the version information inside the remote computer, where the remote computer does not perform the version check. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control unit disclosed by Teece to perform checking/verifying the version information inside the device exclusively instead of the controllable unit, in order to reduce the processing load performed by each of the controllable units and requiring only one unit (e.g. control unit) to perform the version checking process.

Regarding claim 74, the "operation screen information" is made up of menus or "table of contents information" and bar charts or items or "action state information that indicate the device functions and state" (See column 2 lines 1-19 and 41-61). The menus and bar charts or items are also "objects" which are identified by and ID number or "identifiers" (See column 6 lines 36-54). The "objects" are menus or "function menu",

bar charts or “display part” or also known as “still picture data”, and the menus can also be in the form of text or “text data” (See column 9 lines 55-60).

Regarding claim 75, the control unit has a means for “storing and controlling the apparatus information and version information in relation to each other when the controller reads the apparatus information in the device and the version information” (See Teece column 9 lines 48-50, column 10 lines 40-64, and column 11 lines 40-62).

Regarding claim 76, a “notification request issued from the controller contains information of a notification range” (See Teece column 10 lines 44-54, column 11 lines 53-62, column 7 line 62 – column 8 line 9), wherein the “notification range” indicates the range which the control unit “hopes to bring the information in agreement” with all the controllable devices that was within the notification range. The control unit receives from the controllable unit or “device” a “primary response that contains the version information corresponding to the notification range” (See Teece column 11 lines 55-57, lines 60-62; column 7 line 62 – column 8 line 9).

Regarding claim 77, the control unit receives a “secondary response from the device to the notification request” (See Teece column 11 lines 58-60) and the control unit is able to detect a change (See Teece column 10 lines 55-57). The control unit sends a “second notification request to the device before the changed object is requested” (See Teece column 10 lines 55-64).

Regarding claim 78, the control structure definitions contain “the operation screen information that has a function menu set list” (See Teece Fig. 4, row MO), where the “function menu set list contains function table version information” (See Teece Fig.

4, row MO, box VN). Furthermore, "each of the function menu lists has element version information" (See Teece Fig. 4, row M1, row M2, box VN). Inherently the "function table version information and the element version information" are generated by the "version information generation managing means".

Claim 80 contains the limitations of claim 72 (wherein the controllable unit performs the method) and is analyzed as previously discussed with respect to those claims.

Regarding claim 82, the controllable unit sends a "primary response" (See Teece column 11 lines 55-57, lines 60-62) and a "secondary response" (See Teece column 11 lines 58-60) to the control unit "in response to the notification request from the controller". The control unit is able to judge "that the version information is changed, and using an identifier of updated apparatus information contained in the secondary response, reads the updated apparatus information and updates the version information in the controller (See Teece Figs. 4 and 7; column 10 lines 40-64 and column 11 lines 40-62).

Claims 43-48, 61, 62, 64, 67-68, and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teece (US005537605A) in view of May (US006021492A).

Claim 43 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Furthermore, "the in-device apparatus information of the device inside is state information showing a condition of the device" (See Teece column 2 lines 55-61). The control unit is able to "read the state information" (See

Teece column 35-40). However, Teece in view of May does not disclose that the operation/conditions parameters or "state information" have "version information that shows the version of the state information".

Teece does disclose that menu descriptors have version numbers or "version information" and further discloses that alternative data structures can be used (See Fig. 4; column 6 lines 36-61). Official Notice is taken that it is well known to apply version information to any type of information/data. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the operation/conditions parameters as disclosed by Teece in view of May to have "version information that shows the version of the state information", in order to provide a means of distinguishing current operation/conditions parameters from previous operation/conditions parameters. Furthermore, the "version information" is updated as described in claim 1 above.

Claim 44 contains the limitations of claims 43 and 50 and is analyzed as previously discussed with respect to those claims. Wherein, the verification process can be performed when updating the bar chart on the display using the operation/conditions parameters (See Teece column 10 lines 35-40 and column 11 line 63 – column 12 line 6).

Regarding claim 45, the control unit inherently reads the new operation/conditions parameters or "state information" when it is received within the "second response" as discussed in claim 50 above, which is after the first response as

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discussed in claim 50 above or “the controller reads the state information between the primary response and the secondary response”.

Claim 46 contains the limitations of claims 44 and 45 (where in the controllable unit or “device” performs the functions claimed in claim 46) and is analyzed as previously discussed with respect to those claims.

Claim 47 contains the limitations of claim 44 and 45 (where in the control unit or “controller” performs the functions claimed in claim 47) and is analyzed as previously discussed with respect to those claims.

Claim 48 contains the limitations of claims 44 and 51 (wherein the secondary response would carry the new operation/conditions parameters or “updated state formation”) and is analyzed as previously discussed with respect to those claims.

Claim 61 contains the limitations of claims 42 and 43 (where in the controllable unit or “device” performs the functions claimed in claim 61) and is analyzed as previously discussed with respect to those claims.

Claim 62 contains the limitations of claim 42 and 43 (where in the control unit or “controller” performs the functions claimed in claim 11) and is analyzed as previously discussed with respect to those claims.

Claim 64 contains the limitations of claim 63 and is analyzed as previously discussed with respect to that claim. However, Teece in view of May does not disclose that the control structure definitions or “function information table” have “function table version information that indicates the version of the function table” and for the control



unit to "detect changes of the information in the function information table using the function table version information".

Teece does disclose that menu descriptors have version numbers or "version information" and further discloses that alternative data structures can be used (See Teece Fig. 4; column 6 lines 36-61). Furthermore, Teece discloses that the control unit uses the version number to validate the current menu (See Teece column 10 lines 44-54, column 11 lines 53-62). Official Notice is taken that it is well known to apply version information to any type of information/data and to use the version information to detect changes. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control structure definitions as disclosed by Teece in view of May to have a "function table version information that indicates the version of the function table" and for the control unit to "detect changes of the information in the function information table using the function table version information", in order to provide a means of distinguishing current control structure definitions from previous control structure definitions thereby providing the most up to date menus and control parameters for the control unit. Furthermore, the control unit is also able to "detect changes of information of the component elements using the element version information when the controller uses the information in the function information table of the device" as discussed in claim 22 above (See Teece Fig. 4; column 10 lines 44-54, column 11 lines 53-62).

Claim 67 contains the limitations of claims 45 and 66 and is analyzed as previously discussed with respect to those claims.

Claim 68 contains the limitations of claims 48 and 66 (wherein the “secondary response would carry the “updated element version information” as well as the menu descriptors or “updated information” (See Teece Fig. 4)) and is analyzed as previously discussed with respect to those claims.

Regarding claim 79, the controllable unit sends responses to the control unit from the control structure definitions (CSDs). The CSDs contain “version information that is included in the menu list response” (See Teece Fig. 4, row M0, box VN). However, Teece in view of May does not disclose that the “display part response” and the “object response” include “version information”.

Teece does disclose that menu descriptors have version numbers or “version information” and further discloses that alternative data structures can be used (See Teece Fig. 4; column 6 lines 36-61). Official Notice is taken that it is well known to apply version information to any type of information/data. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the operation/conditions parameters or “display part response” (See Teece column 2 lines 55-61) and the rotary control device (RDI) description or “object response” (See Teece Fig. 4, RDI) as disclosed by Teece in view of May to have “version information”, in order to provide a means of distinguishing current parameters/descriptions from previous parameters/descriptions.

Claims 60, 73, and 81 rejected under 35 U.S.C. 103(a) as being unpatentable over Teece (US005537605A) in view of May (US006021492A) as applied to claims 42,

49-59, 63, 65, 66, 69-72, 74-78, 80, and 82 above, and further in view of Jerding et al. (US006792616B1).

Claim 60 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim. However, Teece in view May does not disclose that the "version information is a counter value which is incremented every time the information of the device inside is updated".

Jerding et al. (Jerding) discloses a system for updating version numbers of various tables. Jerding discloses that each time a table is updated, the table's version number is incremented or "version information is a counter value which is incremented every time the information of the device inside is updated" (See column 5 lines 48-67). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the version number within the controllable unit disclosed by Teece in view of May to be "a counter value which is incremented every time the information of the device inside is updated", as taught by Jerding, in order to provide a means of distinguishing the various versions from another and to also provide an easy means of identifying the most recent version.

Claim 73 contains the limitations of claims 60 and 72 (where inherently the controllable device has a "version information generation means" in order to successfully provide the version number) and is analyzed as previously discussed with respect to those claims.

Claim 81 contains the limitations of claims 60 and 80 and is analyzed as previously discussed with respect to those claims.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 42-82 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues with respect to claims 42, 63, 72, and 80 that Teece does not disclose that "every time a change in state in the device (controllable unit) occurs, the device is operable to automatically send the updated version information which is indicative of the change in state in the device to the controller". However, reading the claims in the broadest sense, Teece does meet that limitation. Teece discloses that every time a change in state in the device occurs (based on the user input operation), the device is operable to automatically send the updated version information which is indicative of the change in the state in the device to the controller (See col. 10 lines 15-40, col. 11 lines 6-23, and col. 12 lines 15-20).

Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G. Ustaris whose telephone number is 571-272-7383. The examiner can normally be reached on M-F 7:30-5PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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JGU

June 2, 2006



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